

REMARKS/ARGUMENTS

This Amendment is being filed in response to the Final Office Action dated April 14, 2009. Reconsideration and allowance of the application in view of the amendments made above and the remarks to follow are respectfully requested.

Claims 1-11, 13-18 and 20-22 are pending in the Application.

Claims 1-11, 13-18, and 20 are rejected under 35 U.S.C. §102(e) over U.S. Patent No. 7,012,600 to Zehner ("Zehner"). Claims 21 and 22 are rejected under 35 U.S.C. §103(a) over Zehner in view of U.S. Patent No. 7,176,880 to Amundson ("Amundson"). These rejection are respectfully traversed. It is respectfully submitted that claims 1-11, 13-18 and 20-22 are allowable over Zehner alone and in view of Amundson for at least the following reasons.

In rejecting claim 10 the Final Office Action relies on col. 28, lines 17-25 of Zehner, which identifies its final pulse as the addressing pulse and the other pulses as prepulses and that the prepulse slide show waveforms can be divided into those with an odd number of prepulses and those with an even number of prepulses; on col. 28, lines 44-47, where Zehner states that "[i]t is also only necessary that pairs of pulses have equal and opposite impulses it

is possible that there may be pairs of widely varying impulses chained together, i.e. $+I$, $-I$, $+0.1I$, $-0.1I$, $+4I$, $-4I$ "; and on the look-up table. The look-up table of Zehner is described as "containing data representing the impulses necessary to convert an initial gray level to a final gray level" (see, Zehner, the Abstract).

In contradistinction, claim 10 recites controlling

"the potential difference to be a sequence of preset potential differences before being the grey scale potential difference, the sequence of preset potential differences having preset values and associated preset durations, the preset values in the sequence alternating in sign, each preset potential difference representing a preset energy sufficient to release particles present in one of said extreme positions from their position but insufficient to enable said particles to reach the other one of the extreme positions.

There is no teaching or description in Zehner of at least the sequences of preset potential differences; the sequence of preset potential differences having preset values and associated preset durations; and the potential difference representing a preset energy insufficient to enable the particles to reach the extreme positions as setout in the above recitation.

Independent claims 1, 11, and 20 are amended to include the recitations of claim 10. Claim 10 is canceled, without prejudice.

Thus, it is respectfully submitted that independent claims 1, 11, and 20 are not anticipated or made obvious by the teachings of Zehner.

Amundson is used in the Final Office Action to reject the subject matter of claim 10 and the independent claims, yet does not remedy the deficiencies of Zehner.

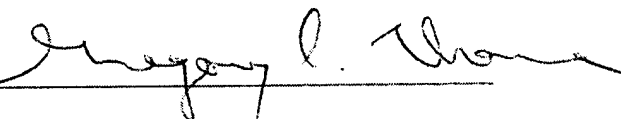
Based on the foregoing, the Applicants respectfully submit that independent claims 1, 11 and 20 are patentable over Zehner alone and in view of Amundson and notice to this effect is earnestly solicited. Claims 2-9, 13-18 and 21-22 respectively depend from one of claims 1 and 11 and accordingly are allowable for at least this reason as well as for the separately patentable elements contained in each of the claims. Accordingly, separate consideration of each of the dependent claims is respectfully requested.

In addition, Applicants deny any statement, position or averment of the Examiner that is not specifically addressed by the foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the presented remarks. However, the Applicants reserve the right to submit further arguments in support of the above stated position,

should that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

Applicants have made a diligent and sincere effort to place this application in condition for immediate allowance and notice to this effect is earnestly solicited.

Respectfully submitted,

By 

Gregory L. Thorne, Reg. 39,398
Attorney for Applicant(s)
June 15, 2009

THORNE & HALAJIAN, LLP
Applied Technology Center
111 West Main Street
Bay Shore, NY 11706
Tel: (631) 665-5139
Fax: (631) 665-5101